

REMARKS

Claims 1-12 are pending in this application after this amendment. Claim 1 is independent. New claims 9-12 are presented for consideration by the Examiner. No new matter has been added by the addition of these new claims. Based on the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicant has amended claim 1 to more appropriately recite the claimed invention. It is respectfully submitted that this amendment is being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner objected to claim 1, rejected claim 1 under 35 U.S.C. §112, second paragraph; rejected claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over Knotts (USP 6,658,260) in view of Wolfman et al. (U.S. Patent Application Publication No. 2002/0026472); and rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over Knotts in view of Sawyer et al. (USP 5,946,299). Applicant respectfully traverses these rejections.

Claim Objection/ Claim Rejections – 35 U.S.C. §112, second paragraph

By this amendment, Applicant has amended claim 1 to more appropriately recite the claimed invention. Based on this amendment, it is respectfully requested that the outstanding objection and rejection be withdrawn.

Claim Rejections – 35 U.S.C. §103

In support of the Examiner's rejection of claim 1, the Examiner asserts that Knotts discloses all of the claim elements, except for input means for entering short message data and input format. Specifically, the Examiner asserts as follows:

Knotts discloses a communication terminal connected to a public line network (Fig. 2 @ 200, which is a core router connected with Public Network (carrier 2, 3, etc.) for communicating with a center apparatus connected to the public line network (As shown in Fig: 2, Customer Carrier, 3 etc. has SMSC for connection to the Public Network) ...

The Examiner relies on the teachings of Wolfman et al. to cure the deficiencies of the teachings of Knotts. The Examiner asserts that one skilled in the art would modify the teachings of Knotts with the teachings of Wolfman et al. in order to provide an inter-carrier messaging module to empower message providers with a single point of entry for the transaction of SMS messaging to a wide array of wireless network and unification of different SMSCs. Applicant respectfully disagrees with the Examiner's characterization of these references.

The disclosure of Knotts is directed to an inter-carrier short messaging service providing phone number only experience. Subscriber-to-subscriber messages are routed between carrier's networks using an Inter-Carrier messaging module with appropriate MIN/carrier/carrier routing look-up capabilities. (Abstract)

Knotts discloses in col. 6, line 57 through col. 7, line 20 as follows:

Communication between a carrier's network and the MDC may be through the Short Message Peer to Peer (SMPP) protocol. The MDC preferably fully supports SMPP 3.3 and 3.4 as well as other SMSC interface protocols such as CDMP (Motorola proprietary), OIS (Sema proprietary), SNPP (paging operators) and WCTP (paging operators).

In FIG. 1, an MDC 200 includes an Inter-Carrier messaging module 100, MIN/Carrier database 110, and Carrier Routing Table 120, in accordance with the principles of the present invention. The Inter-Carrier messaging module 100 enables phone number only short messaging between a subscriber's carrier 1 250 which subscribes to (or owns/maintains) the Inter-Carrier service provider (ICSP) providing the Inter-Carrier messaging module 100, and subscribers 220, 230, 240 of other carrier's networks 260, 270, 280, respectively.

FIG. 2 shows exemplary communication protocols between the subscriber's carrier 1 250, using e.g., SMPP, and a recipient's carrier 3 260, using e.g., SMPP, OIS, CDMP, WCTP, SMTP, and/or HTTP. The subscriber's carrier 1 250 includes an SMSC 251, MSC 252, and BS 253. Carrier 3 260 includes a Wireless Internet Gateway 271 providing access (e.g., IP protocol access) to an SMSC 272, MSC 273, and base station BS 274.

With respect to interoperability, at the heart of the Message Distribution Center 200 is the carrier-proven technology of a Wireless Internet Gateway (WIG) such as that shown and described in U.S. application Ser. No. 09/630,762.

The Wireless Internet Gateway passes text messages between the Internet (via HTTP, SMTP, and other common Internet protocols) and a carrier's Short Message Service Center (SMSC). The WIG is currently operational in many carrier networks worldwide interoperating with SMSCs that support SMPP, CDMP, and/or OIS protocols.

As can be seen from the above disclosure, Knotts discloses message distribution center 200 utilizing a Wireless Internet Gateway. In addition, Knotts discloses utilizing a wireless network and various internet protocols to communicate between the devices in Fig. 1.

In contrast, claim 1 clearly recites a communication terminal connected to a public line network, for communicating with a center apparatus connected to the public line network to send and receive short message data to/from another communication terminal via the center apparatus, comprising communicating means that is connected to the public line network, for communicating with the center apparatus. Knotts fails to disclose a communication means connected to a public line network. Wolfman et al. fails to cure the deficiencies of the teachings of Knotts.

In addition to the above argument, in support of his rejection, the Examiner appears to remove the term "line" from his interpretation of a "public line network." This interpretation is wholly improper, is not in accordance with the meaning of the claim term, and further is not in accordance with the term as provided in the specification. Further, the Examiner must afford patentable weight to word "line" in the term "public **line** network." As the Examiner has failed to properly consider all of the claim elements, Applicant respectfully submits that the Examiner has failed to establish *prima facie* obviousness.

In addition to the above arguments, the Examiner's interpretation of the Inter-carrier message module 100 teaching the communication terminal is not consistent with the teachings of Knotts.

Knotts clearly teaches at col. 10, lines 42-55 as follows:

FIG. 6 depicts a phone number only experience for a subscriber 210 of Carrier 1 250 to send a short message to a subscriber 500 of a different Carrier 2 270 (e.g., which does not subscribe to the ICSP (i.e., Service Bureau) including the Inter-carrier Messaging Module). In particular, as shown in FIG. 6, the subscriber 210 need only send a short message using the simple phone number 410-555-1234 of subscriber 500, with the Inter-Carrier messaging module 100 automatically determining the carrier provider servicing subscriber 500, the method of communication between the Inter-Carrier messaging module 100 of the MDC 200 and the carrier 2 270, and then adding (e.g., appending) the appropriate syntax to the phone number to actually address the short message to "410-555-1234".

As such, Knotts discloses that a subscriber at mobile phone 210 may send a message to another. Thus, Knotts discloses that the input device for inputting the short message data is at 210. The Examiner's modification of providing an input device at module 100 is inconsistent with the teachings of Knotts. As such, Knotts fails to teach or suggest the communication terminal as asserted by the Examiner.

In addition to the above arguments, claim 1 clearly recites "input means for inputting short message data," which the Examiner regards as described in Wolfman et al. However, since the short message that is transmitted by the message distribution center 200 of Knotts is a short message that has been received by the message distribution center 200, even if the message distribution center 200 is provided with input means for inputting short message data, the short message input via the input means will not be transmitted. In other words, providing the input means is meaningless in Knotts. As such, Applicant maintains that one skilled in the art would not be motivated to make the purported combination as asserted by the Examiner.

For at least the reasons set forth above, the Examiner has failed to establish *prima facie* obviousness by failing to provide references that teach or suggest all of the claim elements and by failing to properly consider all of the claim elements. It is respectfully requested that the outstanding rejection be withdrawn.

Claims 2-12 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1.

Conclusion

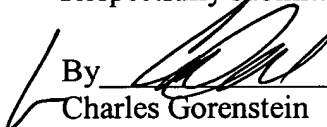
In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: December 28, 2007

Respectfully submitted,

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